



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

June 21, 1994

Mr. Julian W. Taylor, III  
Freeport City Attorney  
P.O. Box 3073  
Freeport, Texas 77541-1273

OR94-254

Dear Mr. Taylor:

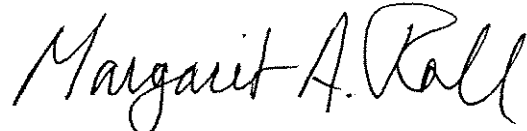
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 24895.

The clerk of the Freeport Municipal Court received a request under the Open Records Act for "a list of traffic citations issued for specific calendar dates." You indicate your understanding that the Open Records Act does not apply to the Freeport Municipal Court, because the court is a part of the judiciary. We agree; section 552.003(b) of the Government Code expressly excludes the judiciary from those governmental bodies that are required to provide public access to their records under the Open Records Act. *See, e.g.,* Open Records Decision No. 618 (1993) at 4.

On the other hand, although copies of traffic citations held by a municipal court are not subject to the Open Records Act, they are, nevertheless, subject to other common-law and statutory rights of inspection. *See* Attorney General Opinion No. DM-166 (1992) at 2-3 (copy enclosed); *Ashpole v. Millard*, 778 S.W.2d 169, 170 (Tex. App.--Houston [1st Dist.] 1989, no writ) (stating that the public has a right to inspect and copy judicial records, subject to the court's inherent power to control public access to its records). Indeed, in Open Records Decision No. 274 (1981) at 2, this office specifically determined that traffic citations issued by a city police department and filed with the clerk of the municipal court are public documents and should be made available for public inspection.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact this office.

Yours very truly,

A handwritten signature in black ink that reads "Margaret A. Roll". The signature is written in a cursive style with a large, stylized "M" and "R".

Margaret A. Roll  
Assistant Attorney General  
Open Government Section

MAR/rho

Ref.: ID# 24895

Enclosure: Attorney General Opinion No. DM-166 (1992)

cc: Ms. Kay Nettles  
Regional Director  
Improv Defensive Driving School  
8584 Katy Freeway, Suite 417  
Houston, Texas 77024  
(w/o enclosures)